

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DREW MACEWEN, ANDREW BARKIS,
CHRIS CORRY, BRANDON VICK, KELLY
CHAMBERS, MICHAEL MCKEE, FRAN
WILLS, BRUCE RUSSELL, Phil Fortunato,
Dave McMullan, Isaac Vellekamp, and Marcus
Torrey,

Plaintiffs,

v.

JAY INSLEE, in my official capacity as the
Governor of Washington,

Defendant.

No. 3:20-cv-05423

DECLARATION OF PHIL FORTUNATO

I, Phil Fortunato, make the following declaration under penalty of perjury:

1. I am a plaintiff in the above-entitled action and have personal knowledge of the facts stated herein.
2. I am a resident of King County, Washington, and elected state senator for the 31st Legislative District.
3. I also own Eco-3.
4. Eco-3 is an environmental compliance company doing business in Washington state.
5. Eco-3 normally services construction contractors in the private residential and commercial construction fields.

- 1 6. Private residential and commercial construction have been halted as a result of the
2 Proclamations.
- 3 7. Private residential and commercial construction have been halted even though construction in
4 other fields, such as low-income government housing and other government-preferred fields,
5 is permitted to continue.
- 6 8. But for the Proclamations, Eco-3's clients would be continuing construction.
- 7 9. Because the majority of Eco-3's clients have been forced to halt work, there is no need for Eco-
8 3's environmental compliance services.
- 9 10. I am losing money every day due to the Proclamations.
- 10 11. Eco-3's revenues have declined by over 80% due to the Proclamations.

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SIGNED, May 20, 2020, at Auburn, Washington.

BY: 
PHIL FORTUNATO